

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

**PRELIMINARY PLAT APPROVAL
Ponderosa Pines Plat (P-07-42)**

RESOLUTION

NO. 2008- 120

WHEREAS, according to Kittitas County Code Chapter 16, relating to the Subdivision of Land, adopted pursuant to RCW 58.17, an open record hearing was held by the Kittitas County Planning Commission on May 13, 2008 for the purpose of considering a preliminary plat known as the Ponderosa Pines Plat and described as follows:

The division of 60.11 acres into twelve lots, tax parcel number 20-15-25058-0004.
Proponent: Dave Blanchard, authorized agent for Cooper Pass LLC landowners.

WHEREAS, public testimony was heard from those persons present; and,

WHEREAS, due notice of the hearing had been given as required by law, and the necessary inquiry has been made into the public interest to be served by such platting; and,

WHEREAS, the Planning Commission recommended denial of said proposed subdivision 3-1 and,

WHEREAS, a closed record public meeting was held by the Board of County Commissioners on July 1, 2008 to consider the Planning Commission's recommendation on this matter; and,

WHEREAS, the Kittitas County Board of Commissioners make the following FINDINGS OF FACT and CONCLUSIONS AT LAW concerning said proposed preliminary plat:

1. Dave Blanchard, authorized agent for Cooper Pass LLC landowner, submitted an application for a 12-lot Plat on approximately 60.11 acres of land that is zoned Rural-5. The subject property is located north of Columbia Avenue and east of Montgomery Avenue, Cle Elum, WA 98922, within a portion of the south 1/2 of Section 24, the north 1/2 of Section 25, the northeast 1/4 of Section 26, T20N, R15E, WM in Kittitas County. Map number 20-15-25058-00044.
2. The said development application included a preliminary plat depicting the division of

one parcel totaling 60.11 acres into twelve parcels.

3. Community Development Services Department issued a Notice of Application pursuant to KCC 15A.03 on June 29, 2007. The Board of County Commissioners finds further that said notice solicited comments from jurisdictional agencies and landowners within 300 feet of the subject properties as required by law.
4. Based on the review of the submitted application materials (including an environmental checklist), correspondence received during this comment period and other information on file with our office, a Mitigated SEPA Determination of Non-Significance (MDNS) was issued by Kittitas County Community Development Services on April 14, 2008. See attached Exhibit A for specific mitigations. Said notice solicited comments from jurisdictional agencies and landowners within 300 feet of the subject properties as required by law. (See Exhibit "A")
5. An administrative site analysis was completed by the staff planner in compliance with Title 17A. Areas of steep slope exist on the parcel. Prior to any development the applicant would need to comply with Title 17A and the Critical Areas Ordinance in place at that time. There is also a perennial stream and a 25 foot buffer shall be maintained.
6. An open record hearing was held on May 13, 2008 to consider this matter and that testimony was taken from those persons present who wished to be heard. Due notice of this public hearing has been given as required by law, and the necessary inquiry has been made into the public interest to be served by this proposed subdivision.
7. The Board of County Commissioners finds that the Planning Commission's deliberations and findings erred by using water availability and access testimony that relates to final plat approval and not preliminary approval.
8. The Board of County Commissioners finds that a closed record meeting was held on July 1, 2008 for the purpose of considering the preliminary plat known as the Ponderosa Pines Plat. A motion was made and seconded that the preliminary plat be approved. The motion carried in with a vote of 3-0.
9. The Board of County Commissioners finds that additional conditions are necessary to protect the public's interest.

NOW, THEREFORE BE IT RESOLVED: That the Kittitas County Board of Commissioners hereby give preliminary plat approval to the Ponderosa Pines Plat with the following conditions:

1. Soil logs need to be scheduled and dug at a mutually convenient time. The

developer/owner shall provide soil logs as per Chapter 246-272 WAC or as amended. The information obtained will be recorded and placed in your plat file for future reference. The information obtained from these soil logs is for plat approval purposes only and do not constitute a site evaluation in conjunction with the issuance of a permit for any specific lot.

2. Proof of potable water must be shown prior to final plat approval.
3. For final approval of an individual well, the submittal of well logs or a hydrogeological report with documentation/evidence to support the claim regarding adequate availability of groundwater for the proposed number of potable water wells is required. This report shall be submitted by a Professional Engineer who practices in the field of hydrology or by a licensed Hydrogeologist.
4. All applicants for subdivision (short and long plats) utilizing wells shall have a note placed on the face of the final mylars that states: "Kittitas County relies on its record that a supply of potable water exists. The approval of this division of land includes no guarantee or assurance that there is a legal right to withdraw groundwater within the land division."
5. Required on Final Plat: The Final Plat shall meet all requirements as listed in section 16.20 of the Subdivision Code; including content, format, etc. The following items will be required on the Final Plat Submittal:
 - a) Adjacent Property Owners: The adjacent property owners and surrounding properties shall be on the face of the final plat. (K.C.C.16.20.040, 10, Plat drawing, Adjacent Owners).
 - b) Surrounding Area: All surrounding property shall be shown in dotted lines and letters with names of plats, roads, adjoining lots, canals, and etc., and if un-platted shall be so indicated. (K.C.C.16.20.040, 11, Plat drawing, Surrounding Area).
6. Road Name(s): Road names shall be subject to the approval of the Kittitas County Department of Public Works.
7. Private Road Certification: Private roads serving any of the lots within this development shall be inspected and certified by a licensed professional engineer for conformance with current Kittitas County Road Standards, 9/6/05 edition. Kittitas County Public Works shall require this road certification to be completed prior to the issuance of a building permit for any of the structures within the proposed plat.
8. Second Access: A second access is required of this development and has been identified as a road leading from Jack Pine Drive to Big Tail Road to Deer Creek Road to Cle Elum's Montgomery Avenue. The second access shall be constructed to meet or exceed the

conditions of a Low-Density Private Road. If the access will be emergency use only, the gate must be approved by the Fire Marshal.

9. Private Road Improvements: Access from Columbia Avenue to the final access points on Jack Pine Drive, Creekside Road, and Owl Ridge Drive, and the second access from Jack Pine Drive to Montgomery Avenue shall be constructed to meet or exceed the conditions of a Low-Density Private Road. See Kittitas County Road Standards, 9/6/05 edition.
 - a. Access easements shall be a minimum of 60' wide. The roadway shall have a minimum width of 20', with 1' shoulders, for a total width of 22'.
 - b. Minimum centerline radius shall be 60'.
 - c. The surface requirement is for a minimum gravel surface depth of 6".
 - d. Maximum grade is 12%.
 - e. Stopping site distance, reference AASHTO.
 - f. Entering site distance, reference AASHTO.
 - g. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - h. Any further subdivision or lots to be served by proposed access may result in further access requirements.
 - i. All roads located within this development or roads that provide access to this development shall be constructed to current county road standards unless any other maintenance agreements, forest service road easements or state easements require higher road standards. The higher of the road standards shall apply.
 - j. All easements shall provide for AASHTO radius at the intersection with a county road.
 - k. A paved apron shall be constructed at the intersection of the proposed private intersection and the county road right-of-way.
10. Cul-de-Sac: A turnaround is required on Creekside Road. The applicant has the option to either build a turnaround near the intersection of Creekside and Owl Ridge Roads, or to certify Creekside Road from Columbia Avenue to an existing offsite cul-de-sac. If the second option is chosen, the easement up to the cul-de-sac must be shown on the face of the plat.
11. Joint-Use Driveway: A joint-use access shall serve no more than two tax parcels. See Kittitas County Road Standards, 9/6/05 edition.
 - a. Access easements shall be a minimum of 20' wide. The roadway width shall have a minimum width of 12'.

- b. The surface requirement is for a minimum gravel surface depth of 6”.
- c. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
- d. Any further subdivision or lots to be served by proposed access may result in further access requirements.

Single-Use Driveway: A single-use access shall serve no more than one lot. See Kittitas County Road Standards, 9/6/05 edition.

- a. The roadway shall be a minimum of 8’ wide with gravel surface
- b. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
- c. Any further subdivision or lots to be served by proposed access may result in further access requirements.

Plat Notes: Plat notes shall reflect the following:

- a. Entire private road shall achieve 95% compaction and shall be inspected and certified by a licensed engineer in the State of Washington specifying that the road meets current Kittitas County Road Standards prior to the issuance of building permit for this plat.
- b. Kittitas County will not accept private roads for maintenance as public streets or roads until such streets or roads are brought into conformance with current County Road Standards. This requirement will include the hard surface paving of any street or road surfaced originally with gravel.
- c. Maintenance of the access is the responsibility of the property owners who benefit from its use.
- d. An approved access permit will be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right of way.
- e. Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
- f. A public utility easement 10 feet in width is reserved along all lot lines. The 10 foot easement shall abut the exterior plat boundary and shall be divided 5 feet on each side of interior lot lines. Said easement shall also be used for irrigation.

12. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
13. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
14. Access Permit: An approved access permit shall be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right of way.
15. Addressing: Contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit or utilities until such parcel is identified with a 911 address.
16. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
17. Mailbox Placement: The U.S. Postal Service requires that private roads with 6 or more residences install USPS approved Cluster Box Units (CBUs) at a safe location at the mouth of the private road. Contact your local Post Office for location and additional design requirements before beginning construction.

NOW THEREFORE,


BE IT HEREBY RESOLVED by the Board of County Commissioners of Kittitas County, Washington, that said preliminary plat designated as Ponderosa Pines Plat and the same hereby is, approved with the proposed development configuration (See Exhibit B) and mitigation measures.

DATED this 5th day of August, 2008 at Ellensburg, Washington.

BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

ABSENT

Mark McClain, Chairman



Alan A. Crankovich, Vice- Chairman



Linda K. Huber, Commissioner

ATTEST:
CLERK OF THE BOARD

Julie A. Kjorsvik
Julie A Kjorsvik

APPROVED AS TO FORM:

Greg Zempel WSBA #19125



Exhibit "A"

SEPA

MITIGATED DETERMINATION OF NONSIGNIFICANCE

File: Ponderosa Pines Preliminary Plat P-07-42

Description: Twelve Lot Plat in the Rural-5 Zone

Proponent: Cooper Pass LLC, landowner
206 West 1st Street
Cle Elum, WA 98222

Location: North of the City of Cle Elum, Cle Elum, WA 98922, within a portion of Section 24 & Section 26, T20N, R15E, WM in Kittitas County. Assessor's map number 20-15-25058-0004.

Lead Agency: Kittitas County Community Development Services

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. The lead agency for this proposal has also determined that certain mitigation measures are necessary in order to issue a Determination of Non-Significance for this proposal. Failure to comply with the mitigation measures identified hereafter will result in the issuance of a Determination of Significance (DS) for this project. These mitigation measures include the following:

I. Transportation

- A. The City of Cle Elum has jurisdiction over Columbia Avenue and may require participation in improving this arterial to city standards. WSDOT has jurisdiction over the SR 903 and Columbia Avenue intersection and may require participation in improving this intersection to state standards. The Level of Service (LOS) standard for both the state and the city at this location is LOS C. WSDOT may also require participation in improving the SR 903 and Columbia Avenue intersection to meet GMA concurrency requirements since the LOS is projected to reduce to LOS D at this location.
- B. Any future subdivision or development of the properties involved will be subject to review by WSDOT for their impacts to the WSDOT system. Impacts that are determined

to be significant will require mitigation, and it is anticipated that all costs will be borne by the development(s).

- C. Creekside Road currently serves more than 40 lots. A second access shall be identified prior to final plat approval, and certified prior to the issuance of a building permit. The second access shall be constructed to meet or exceed the conditions of a Low-Density Private Road.
- D. The applicant will consult with the local school district and provide for and depict on the final mylars a safe location for a bus stop.

II. Water

- A. Activities such as road widening, stump pulling and clearing, grading and fill work and utility placements may require an NPDES Construction Stormwater Permit issued by the Department of Ecology prior to start of construction. This permit requires the preparation of a Stormwater Pollution Prevention Plan.
- B. Storm water and surface runoff generated by this project must be retained and treated on site in accordance with regulating agencies' standards, and not be allowed to flow onto WSDOT rights-of-way.
- C. In accordance with the comments from the Department of Ecology, Pondersosa Pines will be limited to one ground water exemption with a maximum withdrawal of 5000 gallons per day.
- D. Flow meters must be installed at each individual lot. Records documenting water usage at each individual lot must be maintained and available for review by authorized agencies.
- E. Withdrawals of groundwater on the subject property will be subject to the rules & regulations adopted and administrated by the Washington State Department of Ecology.

I. III. Air

- a. The applicant must minimize the amount of dust in the air through water sprinkling and comply with all permitting and regulatory requirements set forth by the Washington State Department of Ecology Air Quality Program. This includes the preparation of a site-specific Fugitive Dust Control Plan (FDCP) prior to operation that must be followed during the duration of activity at the site.

IV Public Services

- A. Any future development must comply with International Fire Code (IFC) and Appendices.

This MDNS is issued under WAC 197-11-350. The lead agency will not act on this proposal for 15 days. Any action to set aside, enjoin, review, or otherwise challenge this administrative SEPA action's procedural compliance with the provisions of Chapter 197-11 WAC shall be commenced within 10 working days (on or before 5:00 PM, May 2, 2008).

Responsible Official: _____
Scott Turnbull

Title: Staff Planner

Address: Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926
(509) 962-7506 FAX 962-7682

Date: July 30, 2008

Pursuant to Chapter 15A.07 KCC, this MDNS may be appealed by submitting specific factual objections in writing with a fee of \$300.00 to the Kittitas County Board of Commissioners, Kittitas County Courthouse Room 110, Ellensburg, WA 98926. Timely appeals must be received no later than 5:00 PM, May 2nd, 2008. Aggrieved parties are encouraged to contact the Board at (509) 962-7508 for more information on appeal process.

The MDNS may be appealed by submitting specific factual objections in writing with a fee of \$300.00 to the Kittitas County Board of Commissioners, Kittitas County Courthouse Room 108, Ellensburg, WA. 98926. Timely appeals must be received no later than 5:00 p.m., January 31, 2007.

